

REMARKS

Favorable reconsideration and allowance of the present application are respectfully requested in view of the foregoing amendments and the following remarks.

Currently, claims 49-68 are pending in the present application, including independent claim 49. Independent claim 49, for instance, is directed to a personal care product comprising a nonwoven web, wherein the nonwoven web comprises a multicomponent fiber. The multicomponent fiber is coextruded from at least a first component and a second component, the first component comprising a fiber-forming polymer and the second component comprising an active agent and a positive displacement carrier. The positive displacement carrier comprises a water-soluble polymer and facilitates controlled migration of the active agent to a surface of the fiber.

Claim Objection

In the Office Action, Claim 54 was objected to based on its dependency. Claim 54 has been amended to depend from claim 53. Applicants appreciate being notified of this typographical error.

35 U.S.C. § 112 Rejections

Claims 49-68 are rejected under 35 U.S.C. § 112, *second paragraph*, as being indefinite due to lack of antecedent basis in independent claim 49 for "the additive". Claim 49 has been amended to provide proper antecedent basis in that "active agent" was substituted for "additive."

35 U.S.C. § 102(b) Rejection

In the Office Action, claim 49 was rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,923,914 to Nohr et al. This reference is directed to a surface-segregatable, melt-extrudable thermoplastic composition suitable for processing by melt extrusion to form a fiber or film having a differential, increasing concentration of an additive from the center of the fiber or film to the surface thereof. The Office Action expressly equates “the second component of the present invention to the siloxane – containing additive with a least two moieties, A and B” of Nohr et al.

Applicants respectfully submit that Nohr et al. does not expressly disclose each limitation of claim 49, particularly the second component which includes both an active agent and a positive displacement carrier, where the positive displacement carrier comprises a water-soluble polymer and facilitates controlled migration of the active agent to the surface of the fiber. The siloxane additive of Nohr et al. does not meet the second component limitation of claim 49 because the siloxane additive is a single component. Therefore, it cannot serve as both the active agent and the positive displacement carrier as required for the second component limitation of claim 49. More specifically, the two moieties are part of the same siloxane molecule, which is a single component.

Thus, for at least the reasons set forth above, Applicants respectfully submit that the present claims are not anticipated by Nohr et al.

35 U.S.C. § 103(a) Rejection

Claims 49-68 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Foss et al. in view of Mumick et al. Foss et al. is directed to an anti-microbial fiber and

products made therefrom. Mumick et al. is directed to a methylated hydroxypropylcellulose and temperature responsive products made therefrom.

The present claims require a first component comprising a fiber-forming polymer and the second component comprising an active agent and a positive displacement carrier, wherein the positive displacement carrier includes a water-soluble polymer and facilitates controlled migration of the active agent to a surface of the fiber. As recognized in the Office Action, Foss et al. does not disclose the positive displacement carrier. For this limitation, the Office Action "equates the m-HPC of MUMICK to the claimed water soluble polymer in the present invention, the hydrophobic acrylic based polymers disclosed in Col. 6, lines 40-47 to the presently claimed positive displacement carrier." However, the present claims require that "the positive displacement carrier comprises a water-soluble polymer and facilitates controlled migration of the active agent to a surface of the fiber." Thus, it is respectfully submitted that the positive displacement carrier limitation of the present claims (requiring a water soluble polymer) cannot be met by the water insoluble, hydrophobic acrylics of Mumick et al.

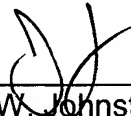
Additionally, Mumick et al. indicates m-HPC as a binder composition that is applied to the surface of polymer fibers by, for example, printing, spraying, or impregnating (Col. 7, lines 14-15, lines 28-29; Col. 8, lines 31-35). Thus, even if Foss et al. and Mumick et al. could be combined, the limitations of the present claims are not met because such require a multicomponent fiber coextruded from at least the first and second components. More specifically, the present claims are not met by application of the second component as a binder (Mumick et al.) to a fiber extruded from the first component (Foss et al.).

It is believed that the present application is in complete condition for allowance and favorable action, therefore, is respectfully requested. Examiner Torres Velazquez is invited and encouraged to telephone the undersigned, however, should any issues remain after consideration of this Amendment.

Please charge any additional fees required by this Amendment to Deposit Account No. 04-1403.

Respectfully submitted,

DORITY & MANNING, P.A.



Jason W. Johnston
Registration No.: 45,675

DORITY & MANNING, P.A.
P.O. Box 1449
Greenville, SC 29602-1449
Phone: (864) 271-1592
Facsimile: (864) 233-7342

Date: 8/31/06